



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/803,318	03/18/2004	Donna Sue Davis	2003B101A	5374
7590 ExxonMobil Chemical Company Law Technology P.O. Box 2149 Baytown, TX 77522-2149			EXAMINER PATTERSON, MARC A	
			ART UNIT 1794	PAPER NUMBER
			MAIL DATE 02/11/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

ADVISORY ACTION

Applicant's arguments filed January 22, 2008 have been fully considered but have not been found to be persuasive.

1. Applicant argues, on page 6 of the remarks dated January 22, 2008, that a new ground of rejection was made in the previous Action regarding single layer films, and that the finality of the previous Action is therefore improper.

However, the statements in the previous Action regarding single layer films are only provided to illustrate that Lind et al is not limited to films having a barrier layer; the finality of the previous Action is therefore proper.

Applicant also argues, on page 5, that contrary to the statements of the previous Action, Lind et al require a film having a barrier layer as stated in paragraph 0014.

However, as stated in the previous Action, a barrier layer is not required by Lind et al; in addition to the statements of the previous Action, it is also clear that Lind et al refer to the film of the invention in paragraph 0014 as 'also' having an embodiment that includes a barrier layer.

Applicant also argues, on page 7, that the presence of polypropylene in Agouri et al is mandatory because Agouri et al teach a blend having 45 - 15 wt.% HDPE and/or polypropylene.

However, because Agouri et al teach HDPE or polypropylene, polypropylene is not mandatory.

Applicant also argues on page 7 that there is no motivation to replace the core layer of Lind et al with the layer taught by Agouri et al; at best, Applicant argues, a combination may suggest replacing the entire structure of Lind et al with the single layer of Agouri et al.

However, as stated on page 2 of the previous Action, because each layer of Lind et al is identical and comprises HDPE and LDPE, it would have been obvious for one of ordinary skill in the art to have provided for the composition of Agouri et al, which also comprises HDPE and LDPE, in each layer of Lind et al.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marc A Patterson whose telephone number is 571-272-1497. The examiner can normally be reached on Mon - Fri 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rena Dye can be reached on 571-272-1498. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Marc A Patterson/
Primary Examiner, Art Unit 1794